IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 29007 of 2007(C)

PETITIONER:

MOHAMMED BASHEER, LOWER DIVISION CLERK, GOVERNMENT VOCATIONAL HIGHER SECONDARY SCHOOL, ARIMBRA, MALAPPURAM DISTRICT.

BY ADV. SMT.P.V.ASHA

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, THIRUVANANTHAPURAM.**

2. **DIRECTOR OF VOCATIONAL HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J

W.P.(C).No. 29007/2007

Dated this 1st day of October, 2007

JUDGMENT

The petitioner is a ministerial staff in the VHSE Department. He claims that he is fully qualified for appointment as a Non Vocational Teacher in Commerce in Vocational Higher Secondary Schools by transfer. Public Service Commission invited applications for willingness of appointment by transfer. However, at that time the petitioner was not qualified and therefore, could not participate in selection. However, in the rank list prepared on 29.6.2007, there was no person qualified to be appointed by transfer. The petitioner, therefore, submitted a representation before the second respondent seeking appointment under Rule 9(a)(i) of the Kerala State and Subordinate Service Rules against the vacancies in the quota set apart for ministerial staff of the VHSE Department. The petitioner seeks a direction to the second respondent to consider and pass appropriate orders on Ext.P1 application filed in this regard.

2. I have heard the learned Government Pleader also.

3. In the above facts and circumstances of the case, there would be a direction to the second respondent to consider and pass appropriate orders on Ext.P1 as expeditiously as possible at any rate within one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S.SIRI JAGAN
JUDGE

mrcs